

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JACOB LANGSAM,
Plaintiff,
v.

Case No. 07-cv-7504 (SCR)
**AFFIDAVIT FOR JUDGMENT
BY DEFAULT**

FRANKLIN CREDIT MANAGEMENT et al
Defendants.
-----X

STATE OF NEW YORK) ss.:

COUNTY OF NEW YORK)

Shmuel Klein, attorney for Plaintiff affirms under the penalties of perjury and says:

1. I am a member of the Bar of this Court and am associated with the firm of Law Offices of Shmuel Klein, PC, attorneys for plaintiff in the above-entitled action and I am familiar with all the facts and circumstances in this action.
2. I make this affidavit pursuant to Rule 55.2 of the Civil Rules for the Southern District of New York, in support of plaintiff's application for the entry of a default judgment against defendant.
3. This is an action to recover \$100,000.00 owed by defendant to plaintiff for violation of the Fair Debt Collection Practices Act, the Fair Credit Reporting Act, New York General Business Law § 349, negligence, infliction of emotional distress and defamation.
4. Jurisdiction of the subject matter of this action is based on 28 U.S.C. 1331. Supplemental Jurisdiction exists for state laws pursuant to 28 U.S.C. 1367.
5. This action was commenced on August 24, 2007 by the filing of the summons and complaint. A copy of the Summons and Complaint have been mailed to Defendant with a Notice of Lawsuit and Request for Waiver of Service of Summons, on August 30, 2007 and a Summons and Complaint have further been served on the Defendant FRANKLIN CREDIT MANAGEMENT, on November 1, 2007.
6. Said defendant failed to answer the Complaint and the time for answering the Amended Complaint has expired.
7. The disbursements sought to be taxed have been made in this action or will necessarily be made herein.

WHEREFORE, plaintiff requests the entry of Default and the entry of the annexed Judgment against defendant.

Dated: Spring Valley, New York

May 7, 2008

/s/ _____

Shmuel Klein

Attorney for Plaintiff

Law Office of Shmuel Klein, PC

268 Route 59

Spring Valley, NY 10977